

U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE

EXPRESS MAIL LABEL NO.: N/A

January 10, 2006

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER: Vinazzar 4

U.S. APPLICATION NO. (If known, see 37 CFR 1.5): 10/520 930

CONFIRMATION NO.: 4822

INTERNATIONAL APPLICATION NO.: PCT/EP2003/03085

INTERNATIONAL FILING DATE: March 25, 2003

PRIORITY DATE CLAIMED: July 8, 2002

TITLE OF INVENTION: DIAMOND ELECTRODE AND METHOD FOR PRODUCTION THEREOF

APPLICANT(S) FOR DO/EO/US: Wolfgang WESNER, Michael KOTSCHAN, Robert HERMANN,  
Wolfgang STABER, Michael SCHELCH

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Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

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INTERNATIONAL APPLICATION NO.: PCT/EP2003/03085  
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**Items 11 to 20 below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.  
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.  
13. ☐ A preliminary amendment.  
14. ☐ An Application Data Sheet under 37 CFR 1.76.  
15. ☐ A substitute specification.  
16. ☐ A power of attorney and/or change of address letter.  
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13<sup>ter</sup>.2 and 37 CFR 1.821-1.825.  
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).  
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).  
20. ☒ Other items or information:  
    A. Copy of Notification of Missing Requirements Under 35 U.S.C. 371  
    B. Form PTO-1449  
    C. Post Card

The following fees have been submitted:	Calculations	PTO USE ONLY
21. <input type="checkbox"/> Basic National Fee (37 CFR 1.492(a)) .....\$300.00	\$	
22. <input type="checkbox"/> Examination Fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....\$0.00 All other situations .....\$200.00	\$	
23. <input type="checkbox"/> Search Fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....\$0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....\$100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB .....\$400.00 All other situations .....\$500.00	\$	
<b>TOTAL OF 21, 22 AND 23 =</b>	\$	

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[ ] Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =		x \$ 50.00	\$	
Ind. claims	- 3 =		x \$200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$360.00				\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	
[X] Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. <b>SUBTOTAL =</b>				\$65.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+	\$
<b>TOTAL NATIONAL FEE =</b>				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
<b>TOTAL FEES ENCLOSED =</b>				\$65.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$

- a. [X] A check in the amount of \$65.00 to cover the above fees is enclosed.  
 b. [ ] Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.  
 c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1382. A duplicate copy of this sheet is enclosed.  
 NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

IN DUPLICATE

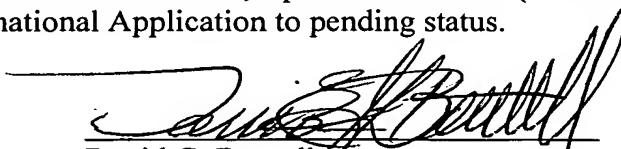
PLEASE DIRECT CORRESPONDENCE TO  
 THE ADDRESS ASSOCIATED WITH THE  
 FOLLOWING CUSTOMER NUMBER: 23474

300.07/05

01/19/2006 GFREY1 00000040 11:50

01 11:2617

65.00 10

  
 David G. Boutell  
 Registration Number: 25 072  
 DGB/DJW/jas

FLYNN, THIEL, BOUTELL & TANIS, P.C.  
 2026 Rambling Road  
 Kalamazoo, Michigan 49008-1631

Applicant(s): Wolfgang WESNER et al  
 Title: DIAMOND ELECTRODE AND METHOD FOR PRODUCTION THEREOF

PCT International Application No.: PCT/EP2003/03085

PCT International Filing Date: March 25, 2003

U.S. Application No.

(if known, see 37 CFR 1.5): 10/520 930

Confirmation No.: 4822


Atty. Docket No.: Vinazzer 4

Mail Stop PCT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

FIRST CLASS MAILING CERTIFICATE

Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service under 37 CFR 1.8 as first class mail in an envelope addressed to:  
 Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 13, 2006.

  
 David G. Boutell

DGB/DJW/jas

FLYNN, THIEL, BOUTELL  
 & TANIS, P.C.  
 2026 Rambling Road  
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Ronald J. Tanis	Reg. No. 22 724
Terryence F. Chapman	Reg. No. 32 549
Mark L. Maki	Reg. No. 36 589
Liane L. Churney	Reg. No. 40 694
Brian R. Tumm	Reg. No. 36 328
Steven R. Thiel	Reg. No. 53 685
Donald J. Wallace	Reg. No. 43 977
Kevin L. Pontius	Reg. No. 37 512
Sidney B. Williams, Jr.	Reg. No. 24 949

Correspondence: Form PTO-1390 dated January 10, 2006 with enclosures thereon

390.05/05



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/520,930	Wolfgang Wesner	Vinazzar 4

23474  
 FLYNN THIEL BOUTELL & TANIS, P.C.  
 2026 RAMBLING ROAD  
 KALAMAZOO, MI 49008-1631

DHT \_\_\_\_\_ DGB \_\_\_\_\_ RJT \_\_\_\_\_  
 P.C. \_\_\_\_\_ MLM \_\_\_\_\_ LLC \_\_\_\_\_  
 BRT \_\_\_\_\_ SRT \_\_\_\_\_ SBW \_\_\_\_\_

DEC 01 2005

DJW \_\_\_\_\_ KLP \_\_\_\_\_ PMG \_\_\_\_\_  
 GMS \_\_\_\_\_ CMC \_\_\_\_\_ TLH \_\_\_\_\_  
 FILE \_\_\_\_\_

Date Mailed: 11/28/2005

INTERNATIONAL APPLICATION NO.

PCT/EP03/03085

I.A. FILING DATE

PRIORITY DATE

03/25/2003

07/08/2002

CONFIRMATION NO. 4822

371 FORMALITIES LETTER



\*OC000000017529049\*

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/07/2005
- Copy of the International Search Report filed on 01/07/2005
- Preliminary Amendments filed on 01/07/2005
- Information Disclosure Statements filed on 01/07/2005
- Small Entity Statement filed on 01/07/2005
- U.S. Basic National Fees filed on 01/07/2005
- Priority Documents filed on 01/07/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

FILE NO:VINA 4 ATTY:DGB/DJW  
 DUE DATE:01-28-2006 ( 20060128 )  
 5696.P0004US /INIT:( 20051128 )  
 ACTION:10 RES PER:2 M DK1  
 FILE FEE DEC, ET AL / 1993

FILE NO:VINA 4 ATTY:DGB/DJW  
 DUE DATE:01-28-2006 ( 20060128 )  
 5696.P0004US /INIT:( 20051128 )  
 ACTION:10 RES PER:2 M DK1  
 FILE IDS W/MISS PARTS / 1992

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/520,930	PCT/EP03/03085	Vinazzar 4